

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FREDRICK SELLERS	:	CIVIL ACTION
	:	
v.	:	
	:	
COMMONWEALTH OF	:	
PENNSYLVANIA, et al.	:	NO. 14-4172

ORDER

AND NOW, this 17th day of November, 2014, upon consideration of petitioner Fredrick Sellers' pro se petition for writ of habeas corpus (docket entry #1), our Order referring this matter to the Hon. David R. Strawbridge for a report and recommendation (docket entry #3), and that report and recommendation (docket entry #5), to which petitioner did not object within the period specified by Loc. R. Civ. P. 72.1 IV (b), and the Court agreeing with Judge Strawbridge that the petition was untimely pursuant to 28 U.S.C. § 2254(d), there is no basis to equitably toll the statute of limitations, there is no need to require the respondent to respond, and jurists of reason would not debate the correctness of this procedural ruling, see Slack v. McDaniel, 529 U.S. 473, 484 (2000), it is hereby ORDERED that:

1. Judge Strawbridge's report and recommendation (docket entry #5) is APPROVED and ADOPTED;
2. Petitioner's pro se petition for writ of habeas corpus (docket entry #1) is DENIED WITH PREJUDICE;
3. We DECLINE to issue a certificate of appealability; and
4. The Clerk of Court shall CLOSE this case statistically.

BY THE COURT:

/s/ Stewart Dalzell, J.